

REMARKS

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 8-13 and 17-21 are allowed, and that claims 1-7 and 14-16 would be allowable if amended to overcome the rejections under 35 USC 112.

Amendments

The drawings, abstract, and specification are amended to obviate the objections presented in the Office Action. In addition, the specification is amended to provide express support for features recited in the claims. No new matter has been added as the features are supported by the disclosure of the original claims.

Claims 1, 5, 6, 8, 14, and 15 are amended to overcome the objections and the rejections under 35 USC 112. Claims 22-24 are cancelled. New claims 25-29 are directed to subject matter deleted from original claims 2, 11, 16, 17, and 18.

Objection to the Drawings

In response to the objection to the drawings, attached hereto is a new drawing sheet (marked as replacement sheet) which separately identifies Figures 1A, 1B, and 2. The specification is also amended to refer to these three figures. Withdrawal of the objection to the drawings is respectfully requested.

Objection to the Specification

The specification is objected to for refereeing to claim numbers. Pages 1 and 3 are amended above to delete these references to claims. The amendments are clearly supported by the disclosure of original claims 1 and 8. Withdrawal of the objection to the specification is respectfully requested.

Objection to the Abstract

The abstract is objected for using the term “said.” The abstract is amended to delete this term. Withdrawal of the objection to the abstract is respectfully requested.

Objection to the Claims

The objections to claims 1, 8, and 14 are rendered moot by the above amendments to these claims. Withdrawal of the objection to the claims is respectfully requested.

Rejection of Claims 5, 15, and 16 under 35 USC 112, first paragraph

Claims 5, 15, and 16 are rejected under 35 USC 112, first paragraph, on grounds of lack of written description. Specifically, the rejection argues that the specification does not provide support for the recitation of “duroplastic elastomer” in claims 5 and 15, and the recitation in claim 16 of a mask has a thickness of between 1 mm and 6 mm. The specification is amended above at page 6 to indicate that the sealing edge of the mask may consist of a duroplastic elastomer. This amendment is supported by the disclosure of original claims 5 and 15. In addition, the specification is amended above at page 8 to indicate that the mask can have a thickness of between 1 mm and 6 mm. This amendment is supported by the disclosure of original claim 16.

In view of the above remarks, withdrawal of the rejection is respectfully requested.

Rejection of Claims 5 and 15 under 35 USC 112, first paragraph

Claims 5 and 15 are rejected under 35 USC 112, first paragraph, on grounds of lack of written description. Specifically, the rejection argues that the specification does provide support for an elastic mask made from the element silicon.

The reference to “silicon” in claims 5 and 15 is the result of a simple obvious translation error. As can be seen from the original PCT publication, WO 2004/082917 (copy enclosed), the original German text in claims 5 and 15 refer to “Silikon.” The English translation of the German word “Silikon” or “Silicon” is silicone, whereas the German word for the element

silicon is “Silicium.” See page 655 of Patterson’s German-English Dictionary for Chemists, 4th Edition, John Wiley & Sons, Inc., (1992) (copy enclosed).

Claims 5 and 15 are amended above to correct this obvious translation error. Pages 5, 10, and 12 of the specification are also amended to correct this obvious translation error. In view of the above remarks, withdrawal of the rejection is respectfully requested.

Rejection of Claims 1-7, 14, and 15 under 35 USC 112, second paragraph

Claims 1-7, 14, and 15 are rejected under 35 USC 112, second paragraph, on grounds of indefiniteness.

Claim 1 is amended to recite that the powder is sintered in “a first pulverization step” to form a plastic skin. Claims 5 and 15 are amended to refer to silicone, rather than silicon. Claim 14 is amended to refer to “said surface of said forming tool” for which claim 8 provides express antecedent basis.

In view of the above remarks, withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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